

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

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DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JAMES C. ELMORE,)
)
Defendant,)

MISC. NO. 1108 MC3392-MEF

MOTION FOR ORDER REQUIRING EXAMINATION
OF JUDGMENT DEBTOR

Plaintiff, United States of America, moves the Court to issue an Order requiring the Defendant, JAMES C. ELMORE, to appear and testify at a Judgment Debtor Examination in aid of execution under Rule 69 F.R.C.P., and in support of this Motion relies upon the Affidavit annexed hereto as Exhibit A.

LEURA G. CANARY
United States Attorney

By: 

R. RANDOLPH NEELEY
Assistant United States Attorney
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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
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1200 MAR -6 P 4 40

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JAMES C. ELMORE,)
)
Defendant,)

MISC. NO. 1:08mc 3392 -MEF

AFFIDAVIT

I, R. Randolph Neeley, having been first duly sworn, depose and say as follows:

1. I am an Assistant United States Attorney and represent the United States of America, Plaintiff, herein.
2. Judgment was entered on April 15, 1988 for Plaintiff and against Defendant for the sum of \$100,000.00.
3. Defendant, JAMES C. ELMORE, resides at 1133 E. Cottonwood Road, Dothan, Alabama 36301, within the jurisdiction of this Court.
4. The Judgment has not been satisfied, vacated, reversed, or barred by the Statute of Limitations, and is one on which execution may properly issue.

5. The balance due on the Judgment as of March 4, 2008, is \$79,770.00.

LEURA G. CANARY
United States Attorney

By: 

R. RANDOLPH NEELEY
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Sworn to and subscribed before me this

6th day of March, 2008.


NOTARY PUBLIC

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JAMES C. ELMORE,)
)
Defendant)

MISC. NO. 1:08mc3392-MEF

ORDER FOR APPEARANCE OF JUDGMENT DEBTOR

Plaintiff, United States of America, having moved the Court for an Order requiring the Defendant, JAMES C. ELMORE, to appear and testify at a Judgment Debtor Examination, and the Court being sufficiently advised,

It is ORDERED that the Motion for Order Requiring Examination of Judgment Debtor is GRANTED.

It is ORDERED that Defendant, JAMES C. ELMORE, appear at 10:00 a.m. on the 16th day of April, 2008, Courtroom 4A, United States Federal Courthouse, One Church Street, Montgomery, Alabama 36104, to answer questions concerning his real and personal property.

It is further ORDERED that Defendant bring the following documents:

1. Copies of personal and business income tax returns for the years 2004, 2005, 2006, and 2007.
2. Copies of all personal and business bank statements for the years 2004, 2005, 2006, and 2007.
3. Record of any safety deposit box in your name or that of your spouse.

4. Copy of title or deed of personal residence if owned by you or any member of your family.

If not, a copy of proof of ownership by unrelated party.

5. Copy of title or license of automobiles, airplanes, motorcycles and boats owned or driven by you or your spouse.

DEFENDANT, JAMES C. ELMORE, IS HEREBY ADVISED THAT FAILURE TO APPEAR AT THE TIME AND LOCATION SET FORTH ABOVE MAY RESULT IN A BENCH WARRANT BEING ISSUED FOR HIS ARREST. A COPY OF THIS ORDER, TOGETHER WITH COPIES OF PLAINTIFF'S MOTION AND AFFIDAVIT, SHALL BE SERVED UPON DEFENDANT FORTHWITH.

DATED this _____ day of March, 2008.

UNITED STATES MAGISTRATE JUDGE